

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JOHN DOE,)	
)	
Plaintiff,)	
)	
v.)	CIVIL CASE NO. 2:24-cv-455-ECM
)	[WO]
THE ALABAMA DEPARTMENT OF)	
CORRECTIONS, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On July 29, 2024, the Plaintiff filed this case under a pseudonym. (Doc. 1). “Generally, parties to a lawsuit must identify themselves’ in the pleadings. Federal Rule of Civil Procedure 10(a) provides that ‘every pleading’ in federal court ‘must name all the parties.’” *In re: Chiquita Brands Int’l, Inc.*, 965 F.3d 1238, 1247 (11th Cir. 2020) (quoting *Doe v. Frank*, 951 F.2d 320, 322 (11th Cir. 1992)) (citations omitted). Thus, “Rule 10(a) requires a plaintiff to include the names of all parties in a complaint” to “protect[] the public’s legitimate interest in knowing all of the facts involved, including the identities of the parties.” *Frank*, 951 F.2d at 322 (citing *Doe v. Rostker*, 89 F.R.D. 158, 160 (N.D. Cal. 1981) and *Doe v. Deschamps*, 64 F.R.D. 652, 653 (D. Mont. 1974)).

However, upon motion and in exceptional circumstances, the Court may permit a party to proceed under a fictitious name. *See In re: Chiquita Brands Int’l, Inc.*, 965 F.3d at 1247 (quoting *Frank*, 951 F.2d at 323). Accordingly, on August 2, 2024, the Court ordered the Plaintiff to “file an amended complaint disclosing his full legal name or a

motion to proceed under a fictitious name with appropriate briefing.” (Doc. 5 at 2). On August 16, 2024, the Plaintiff obliged by filing a motion to proceed under a pseudonym along with briefing on the issue. (Doc. 6).

To date, there is no evidence of service upon the Defendants in the docket, nor is there an appearance by any of the Defendants. Because the Court finds it would be appropriate for the Defendants to weigh-in on this issue, the Court holds the Plaintiff’s motion (doc. 6) in ABEYANCE until such time that the Defendants may be able to provide a response to the Plaintiff’s motion.

Done this 4th day of September, 2024.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE